

BILL ANALYSIS

Senate Research Center

S.B. 1373
By: Lucio
International Relations & Trade
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Overweight Corridor Program (program) provides an optional procedure for the issuance of a permit for the movement of oversize or overweight vehicles carrying cargo on state highways located in counties contiguous to the Gulf of Mexico and bordering the United Mexican States. Proceeds from the fee have been used to administer, repair, maintain, and upgrade the state roads used in the program. The program was established in 1997 on an interim basis and, due to its success and excellent safety history, has been extended by the 76th, 78th, and 79th Legislatures.

S.B. 1373 relates to the operation and continuation of the law authorizing the issuance of oversize or overweight vehicle permits by certain port authorities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

ARTICLE 1. AMENDMENT OF SUBCHAPTER K, CHAPTER 623, BEFORE EXPIRATION

SECTION 1.01. Amends Section 623.214(b), Transportation Code, as follows:

(b) Requires that fees collected under Subsection (a), less administrative costs, be used solely to provide funds for the maintenance and improvement of state highways subject to this chapter. Authorizes that the administrative costs, which are prohibited from exceeding 15 percent of the fees collected, be retained by the port authority. Requires that the fees, less administrative costs, be deposited in the State Highway Fund. Deletes existing text requiring that fees collected under Subsection (a) be used solely to provide funds for the payments provided for under Section 623.213 (Maintenance Contracts) less administrative costs which are prohibited from exceeding 15 percent of the fees collected and that such fees are required to be deposited in State Highway Fund 6.

SECTION 1.02. Amends Section 623.215(a), Transportation Code, to require that a permit issued under this subchapter include certain information, including a statement of the kind of cargo being transported under the permit, rather than over certain state or federal highways, the maximum weight and dimensions of the equipment, and the kind and weight of each commodity to be transported provided the gross weight of such equipment and commodities shall not exceed 125,000 pounds; and a statement of the route designated under Section 623.219, rather than a statement that the cargo is required to be transported over certain state or federal highways.

SECTION 1.03. Amends Section 623.219, Transportation Code, as follows:

Sec. 623.219. New heading: ROUTE DESIGNATION. (a) Requires the Texas Transportation Commission (TTC), with the consent of the port authority, to designate the most direct route from the Gateway International Bridge or the Veterans International Bridge at Los Tomates to the entrance of the Port of Brownsville using State Highways 48 and 4 or United States Highways 77 and 83 or using United States Highway 77 and United States Highway 83, East Loop Corridor, and State Highway 4.

(b) Requires TTC to notify the port authority of the route not later than the 60th day before the date that the designation takes effect if TTC designates a route or changes the route designated under this section.

Deletes existing text providing that this subchapter expires June 1, 2009.

SECTION 1.04. Repealer: Section 623.213 (Maintenance Contracts), Transportation Code.

ARTICLE 2. REENACTMENT AND AMENDMENT OF SUBCHAPTER K,
CHAPTER 623, AFTER EXPIRATION

SECTION 2.01. Reenacts Subchapter K, Chapter 623, Transportation Code, and amends it as follows:

SUBCHAPTER K. PORT AUTHORITY PERMITS

Sec. 623.210. OPTIONAL PROCEDURE. Makes no changes to this section.

Sec. 623.211. DEFINITION. Makes no changes to this section.

Sec. 623.212. PERMITS BY PORT AUTHORITY. Makes no changes to this section.

Sec. 623.213. PERMIT FEES. (a) Deletes existing Section 623.213 (Maintenance Contracts). Redesignates Section 623.214 as Section 623.213. Makes conforming changes.

(b) Requires that fees collected under Subsection (a), less administrative costs, be used solely to provide funds for the maintenance and improvement of state highways subject to this subchapter. Authorizes that the administrative costs, which are prohibited from exceeding 15 percent of the fees collected, be retained by the port authority. Requires that the fees, less administrative costs, be deposited in the State Highway Fund. Deletes existing text requiring that fees collected under Subsection (a) be used solely to provide funds for the payments provided for under Section 623.213 less administrative costs which are prohibited from exceeding 15 percent of the fees collected and requiring that such fees be deposited in State Highway Fund 6.

Sec. 623.214. PERMIT REQUIREMENTS. (a) Redesignates Section 623.215 as Section 623.214. Makes conforming changes.

(b) Makes no changes to this subsection.

Sec. 623.215. TIME OF MOVEMENT. Redesignates Section 623.216 as Section 623.215. Makes no changes to this section.

Sec. 623.216. SPEED LIMIT. Redesignates Section 623.217 as Section 623.216. Makes no changes to this section.

Sec. 623.217. ENFORCEMENT. Redesignates Section 623.218 as Section 623.217. Makes no changes to this section.

Sec. 623.218. ROUTE DESIGNATION. Redesignates Section 623.219 (Expiration) as Section 623.218. (a) Requires TTC, with the consent of the port authority, to designate the most direct route from the Gateway International Bridge or the Veterans International Bridge at Los Tomates to the entrance of the Port of Brownsville using State Highways 48 and 4 or United States Highways 77 and 83 or using United States Highway 77 and United States Highway 83, East Loop Corridor, and State Highway 4.

(b) Requires TTC to notify the port authority of the route not later than the 60th day before the date that the designation takes effect if TTC designates a route or changes the route designated under this section.

Deletes existing text providing that this subchapter expires June 1, 2009.

ARTICLE 3. TRANSITION AND EFFECTIVE DATE PROVISIONS

SECTION 3.01. Makes application of Section 623.219, Transportation Code, as amended by this Act, prospective.

SECTION 3.02. (a) Provides that Article 1 of this Act takes effect only if this Act takes effect before June 1, 2009.

(b) Provides that Subchapter K, Chapter 623, Transportation Code, as reenacted and amended by Article 2 of this Act, takes effect only if this Act takes effect on or after June 1, 2009.

SECTION 3.03. Effective date: upon passage or September 1, 2009.